

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

CHARLES S. LONGSHORE,

Plaintiff,

v.

MASON COUNTY JAIL,

Defendant.

CASE NO. C12-5457 BHS

ORDER ADOPTING REPORT  
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable J. Richard Creatura, United States Magistrate Judge (Dkt. 6) and Plaintiff Charles Longshores’ (“Longshore”) objections to the R&R (Dkt. 7).

On May 31, 2012, Judge Creatura issued the R&R recommending that the Court deny Longshore’s request for class certification because (1) Longshore has failed to show that the numerosity requirement has been met, (2) Longshore has failed to show that he is an adequate representative for all of the proposed causes of action; and (3), most importantly, pro se inmates may not represent a class. Dkt. 6. On July 8, 2012, Longshore filed objections to the R&R arguing that he could show that the class was

1 sufficiently numerous if he was given the time to collect the required number of  
2 signatures. Dkt. 7.

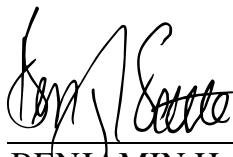
3 A district judge shall review de novo any part of an R&R that has been properly  
4 objected to. Fed. R. Civ. P. 72(b)(3).

5 In this case, while it is possible that Longshore may conceivably show that the  
6 proposed class is numerous, he fails to show that he may pursue this action on behalf of a  
7 class. An individual may proceed pro se, but an individual may not represent others on  
8 their behalf. *See McShane v. U.S.*, 366 F.2d 286, 288 (9th Cir. 1966). Therefore,  
9 Longshore has failed to meet at least one requirement for class certification.

10 Therefore, the Court having considered the R&R, Longshore's objections, and the  
11 remaining record, does hereby find and order as follows:

- 12 (1) The R&R is **ADOPTED**;
- 13 (2) Longshore's request for class certification is **DENIED**; and
- 14 (3) The matter shall be re-referred to Judge Creatura for further proceedings.

15 Dated this 23rd day of July, 2012.

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18 BENJAMIN H. SETTLE  
19 United States District Judge  
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